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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,978	12/22/2000	Mohanasundaram Chinnappan	020431.0753	8477

7590 04/27/2005

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EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,978

Applicant(s)

CHINNAPPAN ET AL.

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to applicant's appeal brief filed on January 3, 2005.

In view of the appeal brief filed on January 3, 2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) File a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) Request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-28 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,460,038 to Khan et al (Khan) in view of US Pat No 5,946,665 to Suzuki et al (Suzuki).

Regarding claims 1, 11 and 20, Khan discloses a global content directory comprising a directory structure (either one of "My Private Bookmarks", "My Group

Bookmarks" and "My Public Bookmarks", Figure 10) comprising a plurality of product classes (travel, shopping, etc.) organized in a hierarchy.

Each product class categorizes a plurality of products (1002a-c) and defines one or more attributes of the products categorized in the product class.

Each product class is associated to a pointer identifying a seller database (each store, i.e., "discovery tours", "Gap", etc.). Each pointer is different from the other seller's pointers. Also, each pointer includes product data enabling a product transaction.

However, Khan fails to disclose the use of a search interface operable to communicate a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class.

Suzuki teaches that it is well known in the art the use of a search interface (2) operable to communicate a search query for product data to one or more seller databases.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a search interface, as taught by Suzuki, into a global directory as described by Khan, in order to search the different databases.

As to claims 2,12 and 21, Kahn discloses the use of an access protocol (A protocol is a set of conventions governing the treatment and especially the formatting of data in an electronic communications system, therefore, in order to operate the search format, the website must have an access protocol to operate).

As to claims 3,13 and 22, Kahn discloses that the directory structure is distributed between pluralities of computers (at least the "Public Bookmarks" directory is capable of been used by different users at the same time).

As to claims 4,14 and 23, Kahn discloses the use of the Internet.

As to claim 5, Kahn illustrates that the global content directory further includes one or more additional directory structure (Figure 10).

As to claims 6,15 and 24, Kahn discloses the use of a structured query language. A query language provides a means of retrieving records or parts of records and performing various calculations before displaying the results. Therefore, when a person is searching for something in particular, query language will retrieve records or parts of records and performing various calculations before displaying the results.

As to claims 7,16 and 25, Kahn, as modified by Suzuki, discloses that the search query includes one or more attributes of the class selected by the user.

As to claims 8,17 and 26, Kahn, as modified by Suzuki, discloses that the search query includes values for one or more desired product feature specified by the user.

As to claims 9,18 and 27, Kahn, as modified by Suzuki, discloses that the search interface is operable to receive search results from one or more seller databases in response to the search query.

As to claims 10,19 and 28, Kahn, as modified by Suzuki, discloses that the directory receives a selection from the user of a product data from the search and in response the user will get information of the seller and the product.

Response to Arguments

4. Applicant's arguments, see appeal brief, filed on January 3, 2005, with respect to the rejection(s) of claim(s) 1-28 under Ebay, Amazon and Rajaraman have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kahn, as modified by Suzuki.

After reviewing the applicant's arguments, it was concluded that the intention of the applicant is to claim a global directory that is capable of connecting a buyer to a seller's database that is outside of the global directory. The global directory is just an instrument to connect the buyer to a seller's database. Ebay, Amazon and Rajaraman disclose a global directory that is capable of connecting a buyer to a seller's database, however, the seller's database is inside the global directory, i.e., is part of the directory not something apart of the directory. Therefore, the rejection to the claims in view of Ebay, Amazon and Rajaraman is withdrawn. However, the examiner believes that the new rejection to the claims in view of Khan, as modified by Suzuki, discloses the invention as claimed.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone

Art Unit: 3676

number for the organization where this application or proceeding is assigned is
(703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is 703-
306-5771.

C.L.

Carlos Lugo
AU 3676

April 22, 2005.

A handwritten signature in black ink that reads "Daniel P. Stodola". The signature is written in a cursive style with a large, looping 'D' at the beginning.

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600